

# MRS. GIBSON RETAINS LAWYER FOR HUSBAND

## Will Defend Szabo Case Before Surrogate, and Help Pick Counsel for Murder Trial.

### TO CONFER AT JAIL TO-DAY

#### Facts Brought Out in Either Court May Be Used in the Other—Gibson Made Threats, Witness Says.

In divulging yesterday the first step he will take in defending himself against the murder charge brought against him as the result of the death of Mrs. Rosa Szabo, Horton W. Gibson, the accused lawyer, showed that he plainly considered himself as being somewhat between the devil and the deep sea in the mass of legal and criminal complications into which his dealings with his clients had brought him. The plan of action by which he hopes to pass safely between the Scylla of the murder charge on one hand and the Charybdis of the civil suit brought against him on the other, was outlined yesterday by Charles Goldizer, of No. 115 Broadway, who has undertaken to represent him in the civil action.

"Before any move is made in the Surrogate's Court by Gibson in contesting the suit brought by the Austrian Consulate to oust him as executor of Mrs. Szabo's will," said Mr. Goldizer, "it will be absolutely necessary that he select counsel to defend him against the murder charge, and that his defense in the Surrogate's Court be conducted in full conference with that counsel. We know that whatever is brought out before the Surrogate will be used against him in the prosecution of the murder charge.

"On the other hand, everything must be brought before the Surrogate which will assist Mr. Gibson in upholding his case. Just what we will do before the Surrogate I cannot say now, but at present we make a general denial of all the charges of misconduct that have been brought against Mr. Gibson, both in the courts and in the newspapers."

Mr. Goldizer said he would go to Goshen this morning to consult with Gibson in jail there, and at that conference the lawyer to defend him in the murder case would be chosen.

Since Surrogate Fowler has ordered Gibson to tell him confidentially, through his counsel on Friday morning just what he has done with the \$100,000 belonging to Mrs. Szabo's estate, which he is known to have withdrawn from the banks where she left it, Mr. Goldizer said that the preliminary plan of campaign would be decided between himself and Gibson's additional counsel to-day.

**Mrs. Gibson Retains Lawyer.**

Mr. Goldizer undertook the defense of Gibson at the request of Mrs. Gibson, his former associate in law having deserted him. Mrs. Gibson herself was extremely busy yesterday doing what she could to help her husband. It was said her chief endeavor was in raising funds for his defense.

While these things were being done in his behalf in this city, additional damaging evidence against Gibson was adduced at the inquest held yesterday by Coroner Houghton in Jersey City on the death of Mrs. Szabo. This inquest was brought about by the fact that it was in Coroner Houghton's jurisdiction that the body was exhumed and the autopsy held which brought forth the declaration of experts that the woman had met death from strangulation and not drowning. The most important witness was George Teichman, an intimate friend of Mrs. Szabo.

When asked whether Mrs. Szabo had ever indicated that she was afraid of Gibson, Teichman unhesitatingly declared that she had done so very plainly.

"Yes," he said, "she was afraid of him. She showed it by her actions on several occasions."

"Did he (Gibson) ever make any threats against her?" he was asked.

"Yes, upon several occasions," the witness replied, and when asked to give reasons why he made these threats he said: "Well, she never told me why, but I understood from several conversations that he had threatened her because she refused to lend him money. I cannot recall the exact instance, but I know he asked her to loan him \$300 at 6 per cent, and when she refused he threatened her."

"What did he threaten to do?" he was asked.

"At this point Mr. Teichman hesitated, and finally said that he had additional very important testimony which he thought best not to divulge until he was asked for it by District Attorney Rogers of Orange County, who is prosecuting the murder charge against Gibson. Coroner Houghton did not press the witness further. The coroner then called Mrs. Stern to the stand.

"**Felt Mrs. Szabo Was Dead.**"

"Mr. Gibson came to me," she said, "He was nervous and excited, and said I could have all of Mrs. Szabo's things which were left in the house for \$5. These included things I knew she wouldn't part with for her life, such as her pets, but he said she was going to Chicago and had decided not to take them. He said nothing of her being dead. But I felt that Mrs. Szabo was dead, and I said to my husband: 'I think that man has murdered that woman, and that her body is in one of those trunks of hers that he had shipped to New Jersey.'"

Mrs. Stern then told how another neighbor had told her that Mrs. Szabo had been drowned at Greenwood Lake, and the boat had tipped over and she would have been drowned that time had the water been deeper. The hearing was adjourned until October 10.

Dr. Fritz Fischerauer, Austrian vice-consul, returned yesterday from a conference which District Attorney Rogers of Orange County had urged him to come and hold with him. Dr. Fischerauer expressed himself as gratified with the way things were going in the murder case.

"I found Mr. Rogers determined to press the case actively," he said. "I also found it untrue that Gibson was being treated with greater consideration than other prisoners. I laid before Mr. Rogers all the facts that have come into my possession, and he will come to this city himself next Tuesday to get further information from us. He will also confer with the District Attorney here."

Deacon Murphy, of Mr. Whitman's staff, took a long affidavit yesterday from Franz Menschik, the dead woman's brother. This affidavit contained a statement of the legal proofs of Petronella Menschik's death, and will form the basis of charges of perjury against Gibson in producing an impostor to sign an alleged waiver of citation in his favor.

# WITNESSES IN THE GIBSON INVESTIGATION



GEORGE TEICHMAN. Who was a close friend of Mrs. Szabo.

FRANZ MENSCHIK. The brother of Mrs. Szabo.

Arpad Kremer, who is conducting the investigation for the Austrian consulate, was told yesterday about a woman staying at the Waldorf-Astoria as the person Gibson used to impersonate Mrs. Menschik for him.

"She was in this city six years ago," said Mr. Kremer's informant. "She is an adept swindler, and was mixed up with Gibson in a peculiar way in the Stenton estate. In his dealings with her Gibson used the name of Francis Henry Williams."

Mr. Kremer said he was investigating this case carefully. He said he had made an effort to find Donald Lyons, of No. 1215 Pacific street, Brooklyn, the notary before whom the impostor signed the name of Mrs. Menschik to the waiver of dation, to see if he could identify the woman at the Waldorf as the one who had appeared before him. He said he was told that Mr. Lyons was out of town. Mr. Kremer added that, if necessary, he would get Mr. Lyons by legal process. There were several other women, he said, his investigators were looking for.

[By Telegraph to The Tribune.]

Goshen, N. Y., Sept. 18.—Two lawyers visited Burton W. Gibson at his cell in the county jail this afternoon. Jacob J. Rinker, of Jersey City, spent three-quarters of an hour with him. Both Rinker and Gibson said Mr. Singer came to Goshen to confer with Gibson on a matter bearing indirectly on his case, but neither would go into any details.

Samuel Bell Thomas, of No. 306 Broadway, New York, was the other lawyer. He said he came to Goshen to talk with Gibson about a case both were interested in as lawyers before Gibson's arrest. He spent a couple of hours with him, and returned to the city on the evening train. Thomas expressed it as his opinion that the prisoner could not be convicted on the charges of strangulation. Gibson spent most of the morning reading the papers and writing. Aside from a slight cold, Gibson seems to be in very good health after his first week of confinement.

**BREASTPIN FROM LUNG**

**Remarkable Operation Upon Brooklyn Girl.**

Surgeons in Lutheran Hospital, Brooklyn, on Tuesday night performed a remarkable operation on Olga Martin, eighteen years old, of No. 438 Crescent street, East New York, by which they removed from her right lung a breast-pin which the girl swallowed two and a half years ago.

Miss Martin, joking with her brother, Emil, while dressing one evening for the theatre, held the pin in her teeth. She meant to fashion her lace collar with it. A fit of laughter caused her to draw in her breath suddenly. Back into her throat and down into her right lung flew the pin, which is an inch and a half long, half an inch wide and a quarter of an inch thick and set with many pearls. There was a sharp pain as the pin went through the throat. That was all. It did not interfere with her breathing.

Not a bit of trouble did it cause for almost two years and a half. Then, two weeks ago, there suddenly came a sharp pain in her lungs. Dr. Barnes was visited. He consulted with Dr. Kopke, a well known surgeon. They had Miss Martin visit the Lutheran Hospital. There with the X-ray they located the pin, nine inches down in the right lung. The girl consented to an operation.

The wonderful new surgical instrument, the bronchoscopes, was then brought into play. It is of nickel—a tube long enough to reach from the mouth to the lowest part of the lung. At its lower end is a tiny but powerful electric light operated with wiring and a small battery; also two tiny mirrors, with which the lung can be explored at any angle, the operator looking down into the nearest mirror through the metal tube and operating a long and slender pair of forceps.

After some difficult Dr. Kopke grasped hold of the troublesome pin and, gently dislodging it, brought it up with the forceps.

**GETS 5 YEARS; PARDON PROMISE.**

Humbert C. Davis, formerly employed as assistant teller in the Harriman National Bank, pleaded guilty yesterday to embezzling \$1,000 of the bank's funds before Judge Hough, in the United States District Court. The prisoner was sentenced to five years' imprisonment in the Elmira Reformatory.

In passing sentence Judge Hough told Davis that he thought the statutory punishment too severe in his case, and that after the expiration of a year's detention he would seek a Presidential pardon for him.

**SUNDAY'S NEW-YORK TRIBUNE**

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# S. O. VOTED AT ELECTIONS

## Officials of Subsidiary Companies Tell of Dissolution.

### BAYNE WON'T SHOW BOOKS

The hearing in the suit of the Water-Pierce Oil Company, brought in Missouri to prevent the Standard Oil people from resuming control of the concern, was continued yesterday before Referee A. L. Jacobs in the office of Samuel Untermyer, at No. 37 Wall street. Secretaries of a number of the companies which were formerly subsidiaries of the Standard Oil trust were called before the referee chiefly to show that the Rockefeller interests still held a dominating position in the companies into which the Standard Oil trust was split by the Supreme Court decree of last year.

William H. Hutchinson, secretary of the Union Tank Company, the first witness called, testified that his company leased tank cars to the Standard Oil Company of Indiana, the Standard Oil Company of Ohio, the Standard Oil Company of New York and, he thought, to the other Standard Oil companies.

When asked if they ever furnished cars to any other than subsidiary companies of the Standard Oil the witness said they had furnished cars for a price to the railroads for the purpose of hauling water.

Coming down to the dissolution of the Standard, the witness said he was not a member of the board of directors until September 1, last year, at which time H. C. Polger, G. B. Glard, J. W. Vanduyke and S. B. Punt resigned. He testified that he and other directors were chosen, each of whom possessed only one share of Union Tank stock. The witness grew very impatient when asked the number of shares he and the others owned.

He further testified that John D. Rockefeller voted 29,815 Union Tank shares at the last directors' meeting. William Rockefeller voted 976, John D. Archbold 732, C. W. Harkness 5,295, Edward S. Harkness 1,854, William L. Harkness 1,708, Edith Rockefeller McCormick 136, James A. Moffat 14, James G. Newcomb 50, Northern Finance Corporation 4,058, estate of Charles Pratt 1,442, estate of H. H. Rogers 1,754, H. M. Telford 117, J. W. Van Dyke 65, University of Chicago 610, W. H. Beardsley 160, H. M. Magler 1,489, Mary Lily Flaker 1,952 and General Educational Board 1,791.

Samuel A. Drew, secretary and treasurer of the Chesbrough Manufacturing Company, manufacturers of vaseline and kerosene, was next called. He testified that he had an office at No. 17 State street and a factory at Perth Amboy, N. J.

**Declared 10 Per Cent Quarterly.**

The company had a capitalization of \$500,000. At the time of the dissolution of the Standard Oil three directors of the company resigned. There was no election then, but at the annual election on May 2 three directors were elected to fill the vacancies. One of the new directors was a stockholder, and he owned only one share. The directors, he said, had held frequent meetings, and declared four dividends since January 2, this year, in January, April, June and in the present month. The dividend declared was 10 per cent each quarter.

Mr. Drew said the Standard Oil Company of New Jersey owned 2,771 shares out of the 5,000 shares of stock of the company prior to dissolution, and that the stockholders had numbered between five and six thousand. The only change in the method of business had been the effort to secure more foreign business. There was no difference in domestic business.

At the annual Chesbrough meeting last winter Standard Oil interests voted in proxy for the directors supposedly voted in their favor. Arnold voted 16 shares, General Education Board 40 shares, H. M. Flaker 4, Charles W. Harkness 112, Northern Finance Corporation 112, John D. Rockefeller 690, William Rockefeller 22, estate of H. H. Rogers 40, H. M. Telford 17, University of Chicago 14.

**As to Colonial Oil Company.**

Frank E. Morrell, secretary and treasurer of the Colonial Oil Company since last January and before that a clerk in the Standard Oil offices, said that his company, capitalized at \$250,000, was selling agent for the Standard Oil in South America. E. T. Bedford, W. J. Fisher and Morrell were directors, having succeeded five who resigned at the opening of the year.

Proxies elected these men, there having been no individual shareholders present at the election. Morrell has a qualifying share, like the other secretaries. He testified that the Colonial Oil Company no longer sold oil in Europe, whereas before the old regime it marketed products there.

O. G. Bayne, president of the Seaboard National Bank and president of the Security Oil Company, who was a witness before the London Commercial Investment and Trading Company, and if it did not have large sums on deposit at different times in the Seaboard National Bank. Mr. Bayne testified that he did not think it did, and that he had not looked to see.

Mr. Untermyer said he had no further questions to ask the witness until he had produced the accounts of the London Trading Company with the Seaboard Bank.

Mr. Bayne declared those books and papers would not be produced, even if they were subpoenaed by the court. Mr. Bayne was told to bring the books and papers asked for. He replied that he would not bring them, and left the court with his personal counsel.

Richard C. Velt, secretary of the Standard Oil Company of New York and a director since January of this year, was the last witness. He said he looked chiefly after the lighterage and shipping department of the company, and knew little about the marketing end. He said the company had a capitalization of \$15,000,000 and has a large surplus, but declared himself unable to give an approximation of the surplus.

The witness said the markets of the company were principally, if not wholly, in New York and the New England States, though some effort had been made since the dissolution of the Standard Oil to open markets in Bulgaria and South America, and the gas and fuel department has been selling the Western states.

Mr. Velt was asked to name a single spot in the United States outside of New York and New England in which the company had sold any products. He could not.

Why did the New York Standard Oil

# Company go to Bulgaria to sell its oil

## Instead of New Jersey? Mr. Velt was asked. He replied that in those foreign countries there was a demand for a low grade oil of which there was a surplus here, and said he did not think it was influenced by the fact that the Standard Oil Company of New Jersey had the New Jersey field.

# SNEAD HAS BOYCE LETTERS

## Victim's Missives to Slayer's Wife to Figure in Trial.

[By Telegraph to The Tribune.]

Fort Worth, Tex., Sept. 18.—Photographs of letters from Al Boyce, the wealthy ranchman killed Saturday in Amarillo by John Beal Snead, millionaire banker, will play an important part in Snead's trial. A Dallas photograph gallery to-day admitted that it recently had made photographic copies of both letters and envelopes received by Snead's wife from the slain ranchman. The contents of the letters were withheld and the photographers refused to let them be seen, but asserted they were love letters and the cause of the Amarillo tragedy.

Snead took the letters to the photographers himself. He and his wife, shortly before the killing of Al Boyce, had been living together in the fashionable residence section of Dallas, and as soon as he discovered the letters he left there immediately, his wife and children going to Georgetown and Calvert. It became known to-day that only a few days before Snead shot Al Boyce the latter's mother, Mrs. A. G. Boyce, widow of Captain Boyce, whom Snead also killed, accompanied him to the Amarillo cemetery, and while standing beside the grave of her husband told Al she felt sure he would meet the same fate.

Mrs. Lena Snead is now at Calvert, where she is making a fight to recover her little children, who are understood to be staying at the home of Merwin Snead, her brother-in-law. Tom Blanton, formerly city marshal of Amarillo, is in Calvert to prevent a kidnapping of the children.

Amarillo, Tex., Sept. 18.—Application for a writ of habeas corpus was agreed on by counsel to-day as the next step to bring about the release of J. Beal Snead, under indictment for the murder of Al. G. Boyce, Jr. This decision was reached after failure to agree on the amount of bond.

**PROTEST FROM STOVER**

**Too Much Repairs on Gift Fountains, He Says.**

Park Commissioner Stover, in a communication to the Municipal Art Commission yesterday, asked that body not to pass favorably on any fountain given to the city in the future unless it was determined the interior fixtures would work.

The Commissioner said he presumed to ask such action in view of the fact that the city faced an expenditure of several thousand dollars for the repair of fountains which had been given to the city. Among them are the Jacob Schiff fountain at East Broadway and Rutgers street; the Sullivan fountain on the Bowery; and the Lowell fountain in Bryant Park. It will cost more than \$1,000 to repair the Schiff fountain, and all three, the Commissioner said, must be taken down before repairs could be made.

"It should be one of the requirements of such gifts that the interior fixtures should be all they are represented to be," said Commissioner Stover. "To make \$1 worth of repairs on the interior pipes of the Schiff fountain it will cost \$1,000. The Park Department gets the blame for fountains that do not live up to requirements. I am in favor of barring all fountains if they are not equipped properly."

The Commissioner said it would be a big job to take apart the three fountains. The Sullivan fountain is practically down now, and when the necessary repairs are made to the pipes inside will be set up again.

**CALLS CITY THE LARGEST**

**Health Department Issues a Guide for Foreign Delegates.**

The Department of Health issued yesterday "A Guide to Some of the Hygienic Features of New York City," a sixty page monograph, in view of the presence in this city of many delegates who will study conditions here after attending the International Congress of Hygiene and Demography in Washington.

It was compiled by Dr. Charles F. Houlden, assistant to the general medical officer.

This is the largest city in the world, according to Dr. Houlden's calculations, having a population in 1912 of 6,178,000. The metropolitan district, embracing the territory within a radius of twenty miles, contains a population of more than 7,000,000. The administrative County of London, Dr. Houlden points out, has only 4,622,961 population.

Other interesting deductions in the sixty page guidebook, of which two thousand have been printed, are as follows:

New York's Russian population makes a city almost as large as Odessa.

Its Italian population is as large as Trieste and Venice combined.

Its German population is larger than that of the city of Bremen.

It is estimated that 1,000,000 of New York's population is Jewish.

The Department of Health, the water supply, sewage disposal, harbor pollution, public baths and many other problems of the city are described at length.

**BOULEVARD MAN "BROKE"**

**Busse's Business Ruined by Death of Miss Curran.**

Reinhold Busse, proprietor of the Boulevard Man, No. 191 Broadway, where Julia Curran was slain a few weeks ago, filed a petition in bankruptcy yesterday. He had done very little business since the woman was found dead in his place.

The hotel was closed last night. Busse said Inspector Dwyer had stationed a patrolman in front of the place to warn prospective patrons that it was disorderly, and that he found he could no longer run the hotel at a profit.

Busse's liabilities are \$8,765 and nominal assets \$13,978, including stock, \$300; notes, \$6,500; cash in banks, \$5, and deposits, \$5,000. The deposits are \$2,000 with the State Excise Commission to secure a liquor license, \$3,000 with the Hudson Trust Company, security for its indemnity to enable him to secure a liquor license, and \$2,000 with the Title Guaranty and Surety Company, also for indemnity.

There are thirty-four creditors, among whom are the Consumers' Brewing Company of New York, \$2,182; Hudson Trust

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**AMUSEMENTS.**

**NEW YORK'S LEADING THEATRES.**

**EMPIRE** Broadway & 40th St. Evs. at 8:15. **JOHN DREW** in "The Perplexed Husband."

**LYCEUM** West 45th St. Evs. 8:10 Sharp. **MISS BILLIE BURKE** in "The Mind the Paint Girl."

**PARK** 6th St. Col. Circle. Evs. 8:10. **THE FLY** in "The World's Everybody."

**CLIFTON CRAWFORD** in "The Girl from Montmartre."

**CRITERION** Broadway & 44th St. Evs. at 8:15. **Richard Carle**—Katie Williams.

**THE GIRL FROM MONTMARTRE** including J. M. Harris's Burlesque Problem Play, "A Slice of Life."

**GARRICK** 35th Street, Near Broadway. Evs. 8:15. **JOHN MASON** in "The Attack."

**HARRIS** West 42d St. Evs. 8:15. **THE AUGUST THOMAS** "THE MODEL."

**HUDSON** "ONE LONG LAUGH" 44th St. N. E. Way. Evs. at 8:15. **MR. TIM MURPHY** in "HONEST JIM BLUNT."

**NEW AMSTERDAM** W. 42d St. Evs. 8:15. **THE COUNT OF LUXEMBOURG** A Musical Romance by Franz Lehár.

**LIBERTY** West 42d St. Evs. at 8:15. **THE MILESTONES** by Arnold Bennett & Edward Knoblauch.

**KNICKERBOCKER** Broadway & 38th St. Last 2 weeks. Evs. 8:10. **Robin Hood** Next Wednesday, Matinee and Night. The 100th and 101st presentations of the revival with Grand Opera Cast. Mr. De Koven will direct the Orchestra and soloists will be given.

**ON! ON! DELPHINE** New Musical by C. M. McLellan and Ivan Carl.

**GAITEY** Broadway & 46th St. Evs. at 8:15. **OFFICER 666** A Mystery Play of Fun.

**GLOBE** Broadway & 14th St. Last Matinee. 2:15. **THE ROSEMAID LAST NIGHT** MAT. SAT. 2:15. Farewell Night.

**SEAT** First Night Next Thurs. **THE CHARITY GIRL** WALLACK'S Broadway & 30th St. Evs. 8:20. **WALLACK'S** Broadway & 30th St. Evs. 8:20. **George ARLISS** in DISRAELI.

**B. F. KEITH'S NEW THEATRES**

**UNION SQ.** Broadway. Evs. 8:15. **TO-NIGHT** Amateur Swimming Contest for a \$1000.00 Gold Cup.

**COLONIAL** Broadway. Evs. 8:15. **ALHAMBRA** 126th St. Evs. 8:15. **HARLEM** 18th St. Evs. 8:15. **REPUBLIC** West 147th St. Evs. 8:15. **THE GOVERNOR'S LADY** BELASCO 44th St. Evs. at 8:15. **THE CONCERT** ONLY. With LEO DITRICHE.

**GEO. COHAN'S THEATRE** Broadway & 43d St. **GEO. M. COHAN** in his new musical comedy, "Broadway Jones."

**GRAND OPERA HOUSE** THE PINK LADY Matinee Sat. Next Week—THE TALKER.

**MADISON SQ. ROOFGARDEN** 41st St. Evs. 8:15. **RUBBER SHOW** Grand Central Palace. **JOE WEBER'S** Broadway & 29th St. Evs. 8:15. **PAUL RAINY'S AFRICAN HUNT** J. **5th Ave.** Broadway & Rock & Fulton. **HAMMERSTEIN'S** 23rd St. Evs. 8:15. **ACADEMY OF MUSIC** Matinee To-day & Saturday, 2:30 to 5:00. **THE GIRL FROM BRIGHTON**